

MINUTES OF REGULAR MEETING HELD JANUARY 13, 2015

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, January 13, 2015 at 8:08 p.m.

Acting Mayor Neylan made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 16, 2014. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, AND THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Acting Mayor Neylan, Council Members Arena, LoGrippo, Della Fera, Kimmins, Oliveira, Loughlin

ABSENT: Mayor Skibitsky and Councilman Foerst

Invocation was given by Councilman Della Fera

PRESENTATIONS

APPOINTMENT

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

MINUTES

On a motion by Councilman LoGrippo, seconded by Councilman Arena, Council approved the Minutes of the Town Council Meeting held December 16, 2014 with Council Members Kimmins and Loughlin abstaining.

On a motion by Councilman Della Fera, seconded by Councilman LoGrippe, Council approved the Minutes of the Conference Session held December 16, 2014 with Council Members Kimmins, Oliveira and Loughlin abstaining.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

BILLS AND CLAIMS

Introduced by Councilman Della Fera, seconded by Councilman Loughlin and adopted with Councilman Loughlin abstaining on Loughlin Law Firm.

RESOLVED that the bills and claims in the amount of \$507,176.48 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilman Della Fera, Chairman of the Finance Policy Committee, seconded by Councilman Arena were unanimously adopted.

(12) RESOLVED that the Chief Financial Officer be and hereby is authorized to draw warrant for unused parking permit fee as follows:

John Molson	South Side RR Stn/Lot 3	\$636.00
1 South Avenue East, Apt 304		
Cranford, NJ 07016		

(13) RESOLVED that pursuant to N.J.A.C. 5:23 – 4.19, that the Chief Financial Officer be authorized and directed to draw a warrant in the sum of \$11,518.00 to the TREASURER, STATE OF NEW JERSEY for the fourth quarter Construction Official's State permit fees for 2014.

BE IT FURTHER RESOLVED that said check be forward to the Division of Codes and Standards, Department of Community Affairs, CN 802, Trenton, New Jersey 08625-0802.

(14) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$378.60 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of December 2014.

(15) WHEREAS, Ssuyu Lin placed the required cash bond of \$500.00 to cover the Street Opening Permit #13-517 for 104 Hazel Ave, and

WHEREAS, Ssuyu Lin has requested that this amount be returned to them, and

WHEREAS, the Town Engineer, has inspected the roadway excavation and has found the excavation to have been properly repaired.

NOW THEREFORE BE IT RESOLVED, that the Treasurer be authorized to draw a warrant in the name of Ssuyu Lin for \$500.00 and forward to 104 Hazel Ave, Westfield NJ 07090.

(16) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$375.00 to the order of Treasurer, State of New Jersey, P.O. Box 660, Trenton, NJ 08646-0660 for Marriage/Civil Union License Fees issued by the Registrar of Vital Statistics for the quarter of October-December 2014.

(17) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$5.00 to the order of Treasurer, State of New Jersey, Burial Permit Fees, P.O. Box 370, Trenton, NJ 08625-0370 for Non-EDRS Burial Permits issued by the Registrar of Vital Statistics for the quarter of October-December 2014.

(18) WHEREAS, the Town Code of the Town of Westfield Section 2-88 requires that the appointment of the Town Engineer shall be made by the Town Administrator with the consent of the Mayor and approval of the Town Council; and

WHEREAS, N.J.S.A. 40A: 9-140 states that the term of office shall be three years; and

WHEREAS, Section 2-88 of the Town Code and N.J.S.A. 40A: 9-2 require that the Town Engineer posses the required qualifications for performing the duties of the office; and

WHEREAS, Kris McAloon possesses the required qualifications and has been Town Engineer since January 1, 2009;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Westfield appoint Kris McAloon to the position of Town Engineer for a three-year term commencing January 1, 2015.

(19) RESOLVED that the Chief Financial Officer be and she hereby is authorized to draw warrants to the order of the following person, this being the amount overpaid for property taxes for the years 2014 and 2015.

<u>BLOCK/LOT</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
1409/2.01			
ZHAO, Jiong	527 Wychwood Road	2014	\$1,550.36
1903/4			
FISHER, Brent R. &	210 Golf Edge	2014	\$ 5,322.86
GROLNICK, Allison		2015	\$18,361.18

CHECK PAYABLE TO:

Wells Fargo

MAIL TO:

1 Home Campus

Des Moines, IA 50328

5107/4			
COGNATA, Charles A. &	1258 Summit Avenue	2014	\$ 562.08
Claire		2015	\$3,082.66

CHECK PAYABLE TO:

Mortgage Service Center

MAIL TO:

95 Methodist Hill Drive

STE 400

Rochester, NY 14623

(20) RESOLVED that the Treasurer be and she hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2012 and 2014 pursuant to the Tax Court of New Jersey:

<u>BLOCK/LOT</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>YEAR</u>	<u>AMOUNT</u>
2606/7				
	1100 South Avenue West		2012	\$7,862.00
	Westfield Moorehouse Limited Partnership			

Check payable to:

Blau & Blau Attorney for Westfield Moorehouse Limited Partnership

Mail check to:
Blau & Blau
Attorneys At Law
223 Mountain Avenue
P.O. Box 50
Springfield, NJ 07081

3108/19	147-149 Elmer Street	2014	\$5,936.80
Louie Real Estate Holding, LLC			

Check payable to:
Michael A. Vespasiano, Attorney Trust Account
Mail To:
Michael A. Vespasiano
331 Main Street
Chatham, NJ 07928

(21) RESOLVED that the Treasurer be and she hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2014 pursuant to the Union County Board of Taxation:

BLOCK/LOT NAME	ADDRESS	YEAR	AMOUNT
3004/2	319 South Avenue West	2014	\$6,606.50
JMC Westfield, LLC			

Please make check payable to:
Nashel & Nashel Trust Account

Please mail check to:
Nashel and Nashel, LLC
415 Sixtieth Street
West New York, New Jersey 07093

(22) WHEREAS, there exist on the records in the Tax Collector's office tax balances for the year 2014:

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and she hereby is authorized to cancel the tax balances below for the year 2014:

Block/Lot	Amount
1101/4	\$.95
1304/31	\$8.56
1304/38	\$8.56

2207/8	\$.61
2904/29	\$2.00
3111/6	\$.44
3408/41	\$1.09
3410/12	\$.69
3503/16	\$2.00
3901/1/c0010	\$3.15
4003/21	\$3.48
4008/3.02	\$.73
4209/3	\$.43
4301/14	\$.38
4403/2	\$9.35
4806/2	\$1.00
4810/12	\$.40
4811/11	\$.32
4910/10	\$.70

(23) RESOLVED that the Chief Financial Officer is hereby authorized to issue warrants Noted below to the order of the Downtown Westfield Corporation, for Special District Taxes as provided in the year 2015 budget:

February 2, 2015	\$102,401.25
May 1, 2015	\$102,401.25

(24) RESOLVED, that the Town Treasurer is hereby authorized to issue warrants to the order of the Finestein & Malloy, LLC, for in the amount of \$16,399.73 for legal services performed in December 2014.

The following resolution, introduced by Councilman Della Fera, seconded by Councilman LoGrippo was adopted by the following roll call vote:

(25) RESOLVED that the Chief Financial Officer be authorized to make the following transfer in the 2014 budget accounts:

	<u>OUT</u>	<u>IN</u>
GROUP INSURANCE 4-01-183-200	\$36,000.00	
PUBLIC BLDG. & GROUNDS – O/E 4-01-185-200		\$10,000.00

FIRE DEPT. – O/E 4-01-125-200	\$ 5,000.00
TELEPHONE 4-01-168-200	\$11,000.00
WATER 4-01-169-200	\$ 5,000.00
PUBLIC WORKS – O/E 4-01-137-200	\$ 5,000.00

Roll Call:

Yeas:	Arena	Nays:	Absent:	Foerst
	LoGrippe			Mayor Skibitsky
	Della Fera			
	Kimmins			
	Oliveira			
	Loughlin			
	Acting Mayor Neylan			

Public Safety, Transportation and Parking Committee

The following resolutions, introduced by Councilman Oliveira, Vice-Chairman of the Public Safety, Transportation and Parking Committee, seconded by Councilman LoGrippe were unanimously adopted.

(26) RESOLVED by the Town Council of the Town of Westfield that pursuant to authority granted by R.S. 40a:14-146, the persons named on the list below are hereby appointed SPECIAL POLICEMEN in the Town of Westfield for the year 2015 subject to the conditions and limitations set forth in the said statute, and the Chief of Police is hereby authorized to provide the SPECIAL POLICEMEN appointed with appropriate badges and certificates of appointment without cost to them:

Christopher Beck
Carmen Brocato, Sr.
Helen Cicalese
Robert Denny
Anthony Garrigan
Patrick Garrigan
Scott Mersereau
Bruce Miller
John Morgan
Robert Musacchia
Jonathan Pierce, Jr.

(27) BE IT RESOLVED that Police Chief David Wayman is hereby appointed as Emergency Management Coordinator for the Town of Westfield for a term expiring January 1, 2016;

BE IT FURTHER RESOLVED that Police Captain Chris Battlione and Deputy Fire Chief David Kelly are appointed as Deputy Emergency Management Coordinators for a term expiring January 1, 2016.

Code Review & Town Property Committee

The following resolutions, introduced by Councilwoman Kimmins, Chairman of the Code Review & Town Property Committee, seconded by Councilman Della Fera were unanimously adopted.

(28) WHEREAS, John A. Pinto Family, LP, made an application to the Town of Westfield to demolish a single-family dwelling located at 802 South Avenue West, Block 2510, Lot 3, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application meets all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling at 802 South Avenue West, Block 2510, Lot 3, Westfield, New Jersey.

(29) WHEREAS, HyonChol Lee, made an application to the Town of Westfield to demolish a single-family dwelling located at 129 Golf Edge Drive, Block 2001, Lot 13, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application meets all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling at 129 Golf Edge Drive, Block 2001, Lot 13, Westfield, New Jersey.

(30) WHEREAS, Ralph Rapuano and Allan Chrone, made an application to the Town of Westfield to demolish a single-family dwelling located at 20 North Wickom Drive, Block 5203, Lot 17, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application meets all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling at 20 North Wickom Drive, Block 5203, Lot 17, Westfield, New Jersey.

(31) WHEREAS, Colby and Paige Weissman Gaines, made an application to the Town of Westfield to demolish a detached garage, located at 200 Woodland Avenue, Block 2003, Lot 57, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application has met all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a detached garage at 200 Woodland Avenue, Block 2003, Lot 57, Westfield, New Jersey.

(32) WHEREAS, Thomas M. Rich, made an application to the Town of Westfield to demolish a detached garage, located at 116 Eaglecroft Road, Block 707, Lot 44, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application has met all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a detached garage at 116 Eaglecroft Road, Block 707, Lot 44, Westfield, New Jersey.

(33) WHEREAS, Ralph Rapuano, made an application to the Town of Westfield to demolish a single-family dwelling and detached garage located at 627 Fourth Avenue, Block 3303, Lot 10, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application meets all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling and detached garage at 627 Fourth Avenue, Block 3303, Lot 10, Westfield, New Jersey.

Public Works Committee

Reports of Department Heads

Report of Liy-Huei L. Tsai, Chief Financial Officer, showing Cash in Bank of \$9,063,611.81 and Investments of \$5,379,335.23 was received, read and ordered filed.

Reports of Susan Noon, Collector of Taxes, showing taxes total collections of \$1,671,598.82 during the period December 1, 2014 to December 31, 2014 and total sewer fee collections of \$15,560.14.

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$53,393.00 for the month of December 2014 was received, read and ordered filed.

Report of Claire J. Gray, Town Clerk, showing fee collected in the amount of \$5,142.00 during the month of December 2014 was received, read, and ordered filed.

Report of Daniel J. Kelly, Chief of the Fire Department, showing Smoke Detector Fees collected in December in the amount of \$3,325.00, and no Permit Fees was received, read and ordered filed.

Report of Kris McAloon, Town Engineer, stating he had turned over to the Chief Financial Officer check in the amount of \$10,236.00 representing monies collected during the month of December 2014.

Report of Carol Salvaggio, Certified Court Administrator, stating that she had turned over to the Chief Financial Officer check in the amount of \$60,953.38 representing fines and costs collected in the Municipal Court and Violations Bureau during the month of December 2014 was received, read and ordered filed.

Upon motion by Councilman Oliveira, seconded by Councilman LoGrippe the meeting was adjourned at 8:16 p.m.

Claire J. Gray
Town Clerk